

By Senator Powell

24-01198-24

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1 A bill to be entitled
2 An act relating to treatment of inmates; creating s.
3 944.092, F.S.; specifying certain rights of inmates in
4 the correctional system; requiring that a written copy
5 of the rights be provided to each inmate upon his or
6 her entry into the correctional system; authorizing
7 relief for deprivation of rights; amending s. 947.149,
8 F.S.; revising the definition of the term "permanently
9 incapacitated inmate" for purposes of conditional
10 medical release; providing an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Section 944.092, Florida Statutes, is created to
15 read:

16 944.092 Basic rights of inmates.-

17 (1) RIGHTS.-Each inmate in the correctional system has the
18 right to:

19 (a) Proper ventilation.-All housing units must have air-
20 conditioning systems or air-cooling systems; however, housing
21 units in use on or before July 1, 2024, which cannot be fitted
22 for air-conditioning or air-cooling systems must receive exhaust
23 and air circulators sufficient to provide a safe and healthful
24 environment for inmates.

25 (b) Sufficient meal time.-Inmates must receive a minimum of
26 20 minutes to eat each meal. The minimum time must be extended
27 to the amount necessary for an inmate to complete the meal if
28 the inmate receives an approved medical reason for an extension.

29 (c) Adequate food supply in case of emergency.-Each

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30 correctional institution shall establish a program with one or
31 more community food banks located near the institution to ensure
32 that an adequate food supply is made available to the inmate
33 population if conditions exist that prevent regular food supply
34 services due to an event such as a natural disaster or other
35 emergency.

36 (d) Necessary health supplies.—The department shall
37 provide:

38 1. Necessary personal protective equipment for medical
39 staff at all times and for all staff and inmates during health
40 crises or during any cleaning.

41 2. Necessary health products for inmates including, but not
42 limited to, sanitary napkins, tampons, soap, and toothpaste,
43 upon request of inmates.

44 (2) NOTICE.—The department shall provide a written copy of
45 the rights established in this section to each inmate upon his
46 or her entry into the correctional system.

47 (3) GRIEVANCES.—An inmate may file a grievance with the
48 department if the inmate believes a right guaranteed in this
49 section is denied by a correctional institution.

50 Section 2. Paragraph (a) of subsection (1) of section
51 947.149, Florida Statutes, is amended to read:

52 947.149 Conditional medical release.—

53 (1) The commission shall, in conjunction with the
54 department, establish the conditional medical release program.
55 An inmate is eligible for consideration for release under the
56 conditional medical release program when the inmate, because of
57 an existing medical or physical condition, is determined by the
58 department to be within one of the following designations:

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59 (a) "Permanently incapacitated inmate," which means an
60 inmate who has a condition caused by injury, disease, or illness
61 which, to a reasonable degree of medical certainty, renders the
62 inmate permanently and irreversibly physically incapacitated, or
63 has a physical disability, impairment, or handicap, to the
64 extent that the inmate does not constitute a danger to herself
65 or himself or others.

66 Section 3. This act shall take effect July 1, 2024.